

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
SEANPAUL REYES,

Plaintiff,

-against-

CITY OF NEW YORK,

Defendants.

**DECLARATION OF
GREGORY MUSSO IN
OPPOSITION TO
PLAINTIFF’S MOTION
FOR PRELIMINARY
INJUNCTION**

23-CV-06369 (JGLC)

-----X
GREGORY MUSSO, an attorney duly admitted to practice in the State of New York and in this Court, declares, pursuant to 28 U.S.C. §1746, under penalty of perjury, that the following is true and correct:

1. I am an Assistant Corporation Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney for defendant City of New York. As such, I am familiar with the facts stated below. I submit this declaration in opposition to Plaintiff’s Motion for Preliminary Injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure.

2. Annexed hereto as “**Exhibit A**” is a copy of NYPD Legal Bureau Bulletin, Vol. 50, No. 1, dated July 2020, which demonstrates the NYPD’s intent in creating the Administrative Guide Procedure 304-21.

3. Annexed hereto as “**Exhibit B**” is an Apology Letter written by Plaintiff to Deputy Keith Jackson of the Harford County Maryland Sherriff’s Department, which demonstrates Plaintiff’s understanding of security concerns for law enforcement.

4. Annexed hereto as “**Exhibit C**” is a New York State Unified Court System Summary of Case Details, which demonstrates that Plaintiff’s state prosecution related to his June 1, 2023 arrest, which is ongoing.

5. Annexed hereto as “**Exhibit D**” is the Affidavit of Peter Callaghan, signed September 1, 2023, which demonstrates some of the security issues related to the members of the public who may be inside a stationhouse vestibule and the infrastructure thereof.

Dated: New York, New York
September 1, 2023

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel of the City of New York
Attorney for Defendants
100 Church Street
New York, New York 10007
(212) 356-1945

By: /s/
Gregory Musso
Assistant Corporation Counsel
Special Federal Litigation Division

CC: **BY ECF**
All attorneys of record and notice